

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JOHN B. BERRY, TRUSTEE,	\$	
	\$	
Plaintiff,	\$	
	\$	
v.	\$	CIVIL ACTION NO. H-05-1101
	\$	
WPS, INC., SETH WILLIAMSON,	\$	
J-W POWER CO., UNIVERSAL	\$	
COMPRESSION, INC., W & T	\$	
OFFSHORE, INC.,	\$	
	\$	
Defendants.	\$	

GEORGE H. REID INVESTMENTS,	\$	
INC.,	\$	
	\$	
Plaintiff,	\$	
	\$	
v.	\$	CIVIL ACTION NO. H-06-2053
	\$	
WPS, INC.,	\$	
	\$	
Defendant.	\$	

ORDER CONSOLIDATING CASES AND AMENDING DOCKET CONTROL ORDER

After having carefully reviewed and considered Defendant's Motion to Consolidate (Document No. 76), and Plaintiff's Memorandum in Opposition (Document No. 77), it is


ORDERED that John B. Berry, Trustee v. WPS, Inc., et al, Civil Action No. H-05-1101, and George Reid Investments, Inc. v. WPS, Inc., Civil Action No. H-06-2053, are CONSOLIDATED under No. H-05-1101 for all purposes, including pretrial proceedings, trial, and appeal, pursuant to Federal Rule of Civil Procedure 42(a); that the actions consolidated are to be styled "Consolidated Civil

Action No. H-05-1101, John B. Berry, Trustee and George H. Reid Investments, Inc. v. WPS, Inc.," that the clerk shall transfer all filings in Civil Action No. H-06-2053 to Consolidated Civil Action No. H-05-1101; and that Civil Action No. H-06-2053 is administratively closed. The Court further ORDERS that the docket control order in Consolidated Civil Action No. H-05-1101 is AMENDED as follows:

2. **EXPERT WITNESSES for the PLAINTIFF will be identified by a report listing the qualifications of each expert, each opinion the expert will present, and the basis for it. Due date:** January 15, 2007
3. **EXPERT WITNESSES for the DEFENDANT will be identified by a report listing the qualifications of each expert, each opinion the expert will present, and the basis for it. Due date:** February 15, 2007
4. **DISCOVERY must be completed by:** April 1, 2007  
Written discovery requests are not timely if they are filed so close to this deadline that the recipient would not be required under the Federal Rules of Civil Procedure to respond until after the deadline.
5. **DISPOSITIVE AND NON-DISPOSITIVE MOTIONS (except motions in limine) will be filed by:** April 15, 2007
6. **JOINT PRETRIAL ORDER will be filed by:** August 1, 2007  
Plaintiff is responsible for timely filing the complete Joint Pretrial Order to include Voir Dire and Jury Issues.
7. **DOCKET CALL is set for:** September 7, 2007  
The Court will set this date. No instrument filed within 7 days before the Docket Call will be considered at Docket Call. at 4:00 p.m.

The Clerk will enter this Order, providing a correct copy to all counsel of record.

SIGNED in Houston, Texas, this 21<sup>ST</sup> day of September, 2006.

  
EWING WERLEIN, JR.  
UNITED STATES DISTRICT JUDGE